

MANATT, PHELPS & PHILLIPS, LLP
ROBERT D. BECKER (Bar No. CA 160648)
E-mail: rbecker@manatt.com
EUGENE L. HAHM (Bar No. CA 167596)
E-mail: ehahm@manatt.com
SHAWN G. HANSEN (Bar No. 197033)
E-mail: shansen@manatt.com
1001 Page Mill Road, Building 2
Palo Alto, CA 94304-1006
Telephone: (650) 812-1300
Facsimile: (650) 213-0260

Attorneys for Defendant
VISTO CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RESEARCH IN MOTION LIMITED,

Plaintiff,

vs.

VISTO CORPORATION,

Defendant.

Case No.: C-07-3177 (MMC)

**DECLARATION OF EUGENE L. HAHM
IN SUPPORT OF VISTO'S REPLY IN
OPPOSITION TO RIM'S MOTION TO
STAY PROCEEDINGS RELATED TO
THE VISTO PATENTS PENDING
REEXAMINATION**

AND RELATED COUNTERCLAIMS.

1. I am an attorney at law, duly licensed to practice before all the courts of the State of California, and am a partner with the law offices of Manatt, Phelps & Phillips, LLP, attorneys of record for Defendant Visto Corporation ("Visto") in the above-entitled action. I make this declaration in support of Visto's Reply In Opposition to RIM's Motion to Stay Proceedings Related to the Visto Patents Pending Reexamination. I have personal knowledge of the following facts, and if called as a witness, could competently testify thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of RIM's Motion to Stay Pending Patent Reexaminations, filed on February 2, 2007 in the matter of Visto Corp. v.

1 Research In Motion Ltd., et al; USDC Eastern District of Texas, Case No. 2:06-CV-181.

2 3. Attached hereto as **Exhibit B** is a true and correct copy of the Docket Control
3 Order signed by Judge T. John Ward on March 14, 2007, in the matter of Visto Corp. v. Research
4 In Motion Ltd., et al; USDC Eastern District of Texas, Case No. 2:06-CV-181.

5 4. Attached hereto as **Exhibit C** is a true and correct copy of the Memorandum and
6 Order denying RIM's Motion to Stay, signed by Magistrate Judge Charles Everingham on
7 September 28, 2007, in the matter of Visto Corp. v. Research In Motion Ltd., et al; USDC Eastern
8 District of Texas, Case No. 2:06-CV-181.

9 5. Attached hereto as **Exhibit D** is a true and correct copy of the *Ex Parte*
10 Reexamination Filing Data from the United States Patent and Trademark Office, dated December
11 31, 2006.

12 6. Attached hereto as **Exhibit E** are true and correct copies of selected page(s) from
13 the United States Patent and Trademark Office's Performance and Accountability Report for the
14 Fiscal Year 2007.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed in Palo Alto, CA on February 1, 2008.

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18 /s/ Eugene L. Hahm
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